

CONTINUING APPLICATION TRANSMITTAL UNDER RULE 1.53(b)  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSTOMER NO. 004372

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Docket No. 100570-00019

Date: May 29, 2001

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a

☒ Continuation ☐ Divisional ☐ Continuation-in-Part

application of prior pending Application No. 09/568,022, filed May 10, 2000, which is a continuation of Application No. 09/122,088, filed July 24, 1998, now U.S. Patent No. 6,092,661,

For (Title): PACK STRUCTURE

By (Inventors): Melvin S. MOGIL

1. ☒ A Declaration and Power of Attorney is attached. The attached Declaration and Power of Attorney is:
  - ☒ a. A copy of the Declaration and Power of Attorney from the parent application. (Used with the same or fewer inventors and (a) a copy of the prior application or (b) a revised, reformatted or edited version of the prior application that does not contain new matter.)
  - ☐ b. A new Declaration and Power of Attorney. (Used with the same, fewer or additional inventors and (a) a copy of the prior application, (b) a revised, reformatted or edited version of the prior application that does not contain new matter, or (c) a new specification.)
2. ☒ The filing fee is calculated below:

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	77 - 20	= 57
INDEP CLAIMS	4 - 3	= 1
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

\* If the difference is less than zero, enter "0".

SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
RATE	FEE		RATE	FEE
	\$ 355	OR		\$ 710
x 9 =	\$ 513	OR	x 18	\$
x 40 =	\$ 40	OR	x 80	\$
+135 =	\$ 0	OR	+270	\$
TOTAL	\$ 908	OR	TOTAL	\$

3. ☒ The Commissioner is hereby authorized to charge 01-2300 in the amount of Nine Hundred Eight Dollars (\$908.00) for payment of the required filing fee. In the event that any other fees may be required to complete this filing, or any credit for overpayment, please charge Deposit Account No. 01-2300.
4. ☐ Cancel claims of the application before calculating the filing fee. At least one independent claim is retained for filing purposes.
5. ☒ Amend the specification by inserting before the first line the sentence:  
--This is a ☒ Continuation ☐ Division ☐ Continuation-in-Part of Application No. 09/568,022 filed May 10, 2000, which in turn is a Continuation Application of Parent Application No. 09/122,088, filed July 24, 1998, now U.S. Patent No. 6,092,661. The disclosure of the prior applications are hereby incorporated by reference herein in its entirety.--

05/29/01  
JC912 U.S. PTO

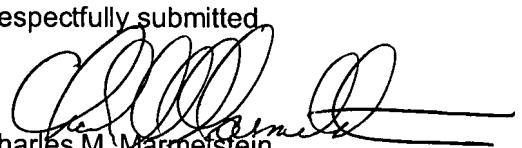
JC868 U.S. PTO  
09/865474  
05/29/01

09/568,022 - 09/122,088

6. ☒ Drawings (Figs. 1 - 7, (7 sheets)) are attached.
7. ☒ Priority of foreign application No. 2,243,830 filed July 23, 1998 in Canada is claimed under 35 U.S.C. §119 and/or §365(b).
8. ☒ The certified copy was filed in prior Application No. 09/122,088 on April 21, 2000.
9. ☐ A certified copy of the above foreign application(s) is attached.
10. ☐ Priority of U.S. Provisional Application(s) No. -- filed -- is claimed under 35 U.S.C. §119(e).
11. ☐ Amend the specification by inserting before the first line the sentence:  
--This nonprovisional application claims the benefit of U.S. Provisional Application(s) No. \_\_\_\_\_ filed \_\_\_\_\_.--
12. ☒ The prior application is assigned of record to California Innovations Inc.
13. ☐ This application is filed by fewer than all the inventors named in the prior application (37 C.F.R §1.53(b)(1)). Delete the following inventor(s) named in the prior application:
14. ☐ A Preliminary Amendment is attached.
15. ☐ An Information Disclosure Statement is attached along with Form PTO-1449.
16. ☒ Small entity status:  
☐ a. A small entity statement is attached.  
☒ b. A small entity statement was filed in the parent application and such status is still proper and desired.  
☐ c. Small entity status is no longer claimed.
17. ☐ Other:
18. ☐ The Power of Attorney in the application is to Charles M. Marmelstein, Reg. No. 25,895; Robert B. Murray, Reg. no. 22,980; George E. Oram, Jr., Reg. No. 27,931; Douglas H. Goldhush, Reg. No. 33,125; David T. Nikaido, Reg. No. 22,663; Richard J. Berman, Reg. No. 39,107; Murat Ozgu, Reg. No. 44,275; Robert K. Carpenter, Reg. No. 34,794; Gregory B. Kang Reg. No. 45,273; Rustan Hill, Reg. No. 37,351; Carl Schaukowitch, Reg. No. 29,211; Kevin Turner, Reg. No. 43,437; Hans J. Crosby, Reg. No. 44,634; and Brian A. Tollefson, Reg. No. 46,338.
19. ☒ Address all future communications to:

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Respectfully submitted

  
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